S.B. CR.MISC.3rd APPL.FOR (S.O.S.) NO.586/2006.
IN
S.B. CRIMINAL APPEAL NO.925/2003.
Mahendra Singh Vs. State
Date of order : 24/7/2006.

HON'BLE MR.JUSTICE HARBANS LAL

Mr. Poonam Chand Bhandari for the applicant-appellant.
Mr. Arun Sharma P.P. for the State.

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This application for suspension of sentence u/S.389 Cr.P.C. has been filed on behalf of applicant-appellant Mahendra Singh who has been convicted by the learned Special Judge (Fake Notes Cases) Jaipur City, Jaipur in Criminal Case No.51/2002 for offences under Sections 489-B r/w. S.120-B and 489-C r/w. S.120-B I.P.C. The maximum sentence imposed upon him is 8 years R.I. and fine with default stipulation.

The sole contention of the learned counsel for the applicant-appellant which has not been controverted by the learned Public Prosecutor is that he has already undergone more than half of the sentence imposed upon him and there is no immediate prospect of his appeal being heard and disposed of in near future.

Considering the aforesaid submissions made at the bar and all other facts and circumstances of the case and particularly the fact that the appeal has not been heard and disposed of despite the applicant-appellant having undergone more than half of the sentence imposed upon him, I deem it just and proper to suspend his sentence, during the pendency of his criminal appeal.

In the result, this third application for suspension of sentence u/S.389 Cr.P.C. is allowed and it is directed that the sentence imposed upon applicant-appellant Mahendra Singh S/o Janga Singh shall remain suspended during the pendency of his criminal appeal provided he furnishes a personal bond in the sum of Rs.20,000/- together with one surety in the like amount to the satisfaction of the trial Court for his appearance before this Court on 24/8/2006 and on all dates of hearing unless otherwise directed.

(HARBANS LAL), J.

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